

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 42ND LEGISLATURE, ONTARIO
70 ELIZABETH II, 2021

Bill 304

**An Act to amend the Regulated Health Professions Act, 1991
respecting the provision of information about Down syndrome
to expectant parents, regulated health professionals and the public**

Ms S. Singh

Private Member's Bill

1st Reading June 2, 2021

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Regulated Health Professions Act, 1991* to require that the Minister ensure that up-to-date, evidence based information relating to Down syndrome is made available to members and to the public. The Act is further amended to require that members share this information with expectant parents when communicating a prenatal diagnosis of Down syndrome.

**An Act to amend the Regulated Health Professions Act, 1991
respecting the provision of information about Down syndrome
to expectant parents, regulated health professionals and the public**

Preamble

Persons with Down syndrome and their families have historically faced discrimination and have been victims of eugenics.

The discrimination faced by persons with Down syndrome continues to persist in the province of Ontario. This discrimination impacts how persons with Down syndrome access services of the provincial government, including those provided within the health care system. Such discrimination results in inequitable treatment and the exclusion of persons with Down syndrome, often limiting their full participation in the economic, social and cultural aspects of our province.

Discrimination often begins with the prenatal diagnoses of Down syndrome, when families are provided outdated, incorrect or biased information based on antiquated models of disability. This information impacts how families understand the life expectancy, life outcomes, cognitive or physical abilities, as well as psychosocial outcomes of persons with Down syndrome.

Misinformation regarding a diagnosis of Down syndrome reinforces negative stereotypes and can cause undue stress and hardship for families. Misinformation can also cause persons with Down syndrome to face stigma before they are born and limit the ability of persons with Down syndrome to thrive.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 Section 3 of the *Regulated Health Professions Act, 1991* is amended by adding the following subsections:**Information relating to Down syndrome**

(2) Without limiting the generality of subsection (1), it is also the duty of the Minister to ensure that up-to-date, evidence based written information relating to Down syndrome is made available to members and to the public, which must include the following information:

1. Information about life expectancy, cognitive and physical development, education outcomes and psychosocial outcomes of persons with Down syndrome.
2. Information about resources for families who have a family member with Down syndrome.
3. Information about resources and supports available from community organizations across the province that are developed and approved by the Ministry of the Minister.

Review of information

(3) Before making any information available to members and to the public, the Minister shall ensure that consultations take place on the content of the information with,

- (a) members with particular expertise in Down syndrome; and
- (b) organizations representing or advocating for persons with Down syndrome.

Languages

(4) The information shall be made publicly available in both English and French, as well as in any other languages that the Minister considers appropriate.

2 The Act is amended by adding the following section:**Information about Down syndrome**

35.1 When communicating a prenatal diagnosis of Down syndrome, a member shall provide to the expectant parent or parents the written information relating to Down syndrome made available by the Minister under section 3.

Commencement

3 (1) Subject to subsection (2), this Act comes into force on the day it receives Royal Assent.

(2) Section 2 comes into force six months after the day this Act receives Royal Assent.

Short title

4 The short title of this Act is *Harvey and Gurvir's Law (Providing Information about Down Syndrome to Expectant Parents, Regulated Health Professionals and the Public), 2021*.